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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,964	09/07/2000	Yoshinori Tahara	JP9-1999-0202	1949

7590                    08/27/2003  
William E Lewis  
Ryan Mason & Lewis LLP  
90 Forest Avenue  
Locust Valley, NY 11560

EXAMINER
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OPSASNICK, MICHAEL N

ART UNIT	PAPER NUMBER
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2655  
DATE MAILED: 08/27/2003

15

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/656,964	TAHARA ET AL.
Examiner	Art Unit	
Michael N. Opsasnick	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 24 September 2002.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 4,8 and 12 is/are allowed.

6) Claim(s) 1-3,5-7 and 9-11 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

1. In view of the fact that relevant prior art has been published after the Final Rejection mailed on 11/27/2002, the finality of that office action (mailed on 11/27/02) has been removed and prosecution on the merits of this application is reopened.

*Allowable Subject Matter*

2. Claims 4,8, and 12 are allowable over the prior art of record.

3. The following is a statement of reasons for the indication of allowable subject matter: .  
As per claims 4,8, and 12, the recited claim limitations pertaining to a speech recognition system utilizing a sounds like spelling scores in conjunction with a two layer voice recognition process is not explicitly taught by the prior art of record.

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2655

5. Claims 1-3,5-7,9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Wilson et al and further in view of Hutchins (5208897)* in view of IBM Technical Disclosure Bulletin (Vol. 35, Issue 1a, pp 59).

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As per claims 1-3,5-7,9,10 Hutchins (5208897) teaches:

obtaining a word inscription specified by a user as ascii spelling of subsyllable  
(Fig. 4a)

“searching a word dictionary.....corresponding to a word inscription” as  
dictionary searching (col. 9 line 48 – col. 11 line 42)

“searching a pronunciation dictionary.....to obtain a base form” as  
pronunciation/phonetic influences (col. 9 lines 13-45)

“registering the base form into a dictionary” as base form in the dictionary (col. 9  
line 50 – col. 10 line 58).

Hutchins (5208897) teaches the concept of adding to a dictionary, but teaches away from  
continued adding to the dictionary (Hutchins (5208897), col. 10 lines 5-10). Wilson (6490561)  
teaches speech recognition wherein spoken sounds are recognized, transcribed, and stored into  
memory via a trained sound dictionary (abstract, col. 2 lines 50-54, col. 7 line 63 – col. 8 line 5;  
col. 8 lines 30-55). Therefore, it would have been obvious to one of ordinary skill in the art to  
modify the teachings of Hutchins (5208897) with a trained sound dictionary of words because it  
would advantageously allow for a higher recognition rate tailored for individual users (col. 2  
lines 1-20).

The combination of Hutchins (5208897) in view of Wilson (6490561) teaches a speech recognition system based on subsyllable spellings wherein input speech is translated into subsyllables, accessing a word list (via a lookup table) with subsyllable spellings, performing a comparison, and outputting a result. The combination of Hutchins (5208897) in view of Wilson (6490561) teaches the word list with subsyllable spellings, however, does not explicitly teach the use of ‘sounds-like-spelling’ technique in the dictionary functions, however, IBM TDB teaches the use of ‘sounds like spelling’ in place of phonetic pronunciations in the Tangora Automatic Speech Recognizer (see disclosure text). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition to modify the teachings of Hutchins with a ‘sounds like spelling’ technique because it would advantageously allow user to enter the information more accurately than the phonetic pronunciations (IBM TBD, disclosure text, near the end).

As per claims 2,6,10, the combination of Hutchins (5208897) in view of Wilson (6490561) in view of IBM TDB teaches:

“sounds like spelling score” as scoring the sounds like spelling (IBM TBD)

As per claims 2-3,6,7,10, and 11, the combination of Hutchins (5208897) in view of Wilson (6490561) in view of IBM TDB teaches displaying the sounds-like spelling (IBM TBD, lines 9-14)

As per claims 2-3,6,7,10, and 11, the combination of Hutchins (5208897) in view of Wilson (6490561) in view of IBM TDB teaches determining a pronunciation score and threshold (Hutchins, Fig. 7, see related text of explanation of fig. 7)

As per claims 2,6,10, the combination of Hutchins (5208897) in view of Wilson (6490561) in view of IBM TDB teaches showing system status and recognition results (Hutchins, fig. 3)

As per claims 3,7, and 11, the combination of Hutchins (5208897) in view of Wilson (6490561) in view of IBM TDB teaches retrieving voice information, matching, and a second voice pronunciation matching (Hutchins, col. 32 line 1-31).

***Response to Arguments***

6. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection. As per applicants point that there is no motivation to combine Hutchins with the IBM TDB, examiner points to the IBM TDB teaching the concept of replacing phonetic input with sounds like spelling input.

***Conclusion***

**7. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal  
Drive, Arlington, VA., Sixth Floor (Receptionist).

**8. Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is  
available Tuesday-Thursday, 9AM-4PM.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for  
this group is (703)872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750,  
the 2600 Customer Service telephone number is (703) 306-0377.

mno  
8/18/2003

  
DORIS H. TO  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600  
8/25/03